

PB# 01-30

**Blooming Grove Oper.
(Sub.)**

52-4-3

01-30

BLOOMING GROVE OPER. SUB. (ZIMMERMAN)
MELISSA LANE (resubdivision of lot #3)

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY
DATE: 7-16-02

Map Number 143-02 City 1
Section 52 Block 4 Lot 3 Town 1 Village New Windsor

Title: Blooming Grove Operating Co.
Re-Sub Lot No 3 Phase IV & V.

Dated: 7-17-02 Rev. Filed 7-18-02

Approved by James Resto Jr.
on 7-16-02

Record Owner Highland Operating Ltd.

DONNA L. BENSON
Orange County Clerk

(2 Sheets)

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#646-2002**

07/18/2002

Autumn Sky Dev. Co.

**Received \$ 270.00 for Planning Board Fees on 07/18/2002. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2002

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 1-30

NAME: BLOOMING GROVE OPERATING - PA2001-0190

APPLICANT: HIGHLAND OPERATING LTD

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
07/16/2002	PLANS STAMPED	APPROVED
05/22/2002	P.B. APPEARANCE	APPROVED
06/13/2001	P.B. APPEARANCE	ND:PRELIM. APPR
05/09/2001	P.B. APPEARANC -PUBLIC HEARI	NEED OCHD APPROVAL
	. MARK TO WRITE LETTER IN LIEU OF PRELIMINARY APPROVAL SO	
	. APPLICANT CAN PROCEED TO HEALTH DEPT FOR APPROVAL.	
04/11/2001	P.B. APPEARANCE	LA: SCHED PH
04/04/2001	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2002

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 1-30

NAME: BLOOMING GROVE OPERATING - PA2001-0190

APPLICANT: HIGHLAND OPERATING LTD

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	04/05/2001	EAF SUBMITTED	/ /	WITH APPLIC
ORIG	04/05/2001	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	04/05/2001	LEAD AGENCY DECLARED	04/11/2001	TOOK LA
ORIG	04/05/2001	DECLARATION (POS/NEG)	06/13/2001	DECL NEG DEC
ORIG	04/05/2001	SCHEDULE PUBLIC HEARING	04/11/2001	SCHED PH
ORIG	04/05/2001	PUBLIC HEARING HELD . CLOSED PUBLIC HEARING	05/09/2001	HELD PH
ORIG	04/05/2001	WAIVE PUBLIC HEARING	/ /	
ORIG	04/05/2001	AGRICULTURAL NOTICES	/ /	
ORIG	04/05/2001	BUILDING DEPT REFER NUMBER	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2002

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 1-30

NAME: BLOOMING GROVE OPERATING - PA2001-0190
APPLICANT: HIGHLAND OPERATING LTD

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	05/17/2002	MUNICIPAL HIGHWAY	05/22/2002	APPROVED
REV1	05/17/2002	MUNICIPAL WATER	05/17/2002	APPROED
REV1	05/17/2002	MUNICIPAL SEWER	/ /	
REV1	05/17/2002	MUNICIPAL FIRE	/ /	
REV1	05/17/2002	NYSDOT	/ /	
ORIG	04/05/2001	MUNICIPAL HIGHWAY	04/10/2001	APPROVED
ORIG	04/05/2001	MUNICIPAL WATER	05/17/2002	SUPERSEDED BY REV1
ORIG	04/05/2001	MUNICIPAL SEWER	05/17/2002	SUPERSEDED BY REV1
ORIG	04/05/2001	MUNICIPAL FIRE	04/06/2001	APPROVED
ORIG	04/05/2001	NYSDOT	05/17/2002	SUPERSEDED BY REV1



UNION STATE BANK

Do business with us, do better with us.

IRREVOCABLE LETTER OF CREDIT NO. 1946

July 12, 2002

Letter of Credit No. 1946

Town of New Windsor
555 Union Avenue
New Windsor, N.Y. 12553

Applicant: Highland Operating Company, Inc.
Amount: \$63,097.50
Expiration: July 12, 2003

Re: Toleman Estates – Phase III

To the Town Board of the Town of New Windsor:

We hereby establish an Irrevocable Standby Letter of Credit in your favor for the account of Highland Operating Company, Inc. in an amount not to exceed sixty-three thousand and ninety seven and 50/100 dollars (\$63,097.50) available by your drafts at sight on us accompanied by:

1. This original Letter of Credit.
2. Your written, signed sworn and notarized statement that Highland Operating Company, Inc. has not completed the necessary improvements to the roadways to service Toleman Estates Phase III Subdivision as approved by the Town of New Windsor Planning Board.

Drafts must be negotiated no later than the expiration date shown above, and must state "DRAWN UNDER UNION STATE BANK IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER 1946".

This letter of Credit may be drawn against one time only.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision), the international Chamber of Commerce Brochure No. 500.

"This undertaking is issued subject to the International Standby Practices ISP98".

*Received
7/17/02
Original filed
in T.C. Road
files for
Melissa Lane*

Corporate Headquarters
(845) 365-4600
Consumer Credit Division
(845) 398-5704

Credit Card Division
(845) 365-4822
Community Resource Center
(845) 573-5414

USB FINANCIAL CENTER
100 Dutch Hill Road, Orangeburg, NY 10962
(845) 365-4600

Commercial Loan Center (Rockland)
(845) 365-4643
Residential Mortgage Center
(845) 398-5755

Commercial Loan Center (Westchester)
660 White Plains Rd. Tarrytown, NY 10591
(914) 524-7838

ROCKLAND COUNTY

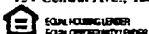
Main Office: Nanuet, 46 College Avenue, Nanuet, NY 10954 - (845) 624-2350 • Central Nyack: 338 Route 59, Central Nyack, NY 10960 - (845) 348-3200 • Chestnut Ridge: 747 Chestnut Ridge Road, Chestnut Ridge, NY 10977 - (845) 573-5420
• Haverstraw: 1 Broadway, Haverstraw, NY 10927 - (845) 942-5090 • New City (2): 115 S. Main Street, New City, NY 10956 - (845) 639-7420 • 270 S. Little Tor Road, New City, NY 10956 - (845) 639-7430
• Monsey: 87 Route 59, Monsey, NY 10952 - (845) 573-5400 • Orangeburg: 65 Dutch Hill Road, Orangeburg, NY 10962 - (845) 365-4687 • Pearl River: 230 N. Middletown Road, Pearl River, NY 10965 - (845) 624-2390
• Spring Valley (2): 45 Kennedy Drive, Spring Valley, NY 10977 - (845) 573-5405 • 4 North Main St., Spring Valley, NY 10977 - (845) 573-5409 • Stony Point: 35 S. Liberty Dr. (Rt. 9W), Stony Point, NY 10980 - (845) 942-5083
• Suffern: 59 Route 59, Suffern, NY 10901 - (845) 368-8700 • West Haverstraw: 3 N. Route 9W, West Haverstraw, NY 10993 - (845) 942-5095

WESTCHESTER COUNTY

• Bedford Hills: 299 Bedford Road, Bedford Hills, NY 10507 - (914) 242-6083 • Cortlandt Manor: 3000 E. Main St. (Rt. 6), Cortlandt Manor, NY 10567 - (914) 526-1800 • New Rochelle: 28 LeCount Place, New Rochelle, NY 10801 - (914) 637-3670
• North White Plains: 76 Virginia Rd., North White Plains, NY 10603 - (914) 422-3070 • Ossining: 88 Croton Ave., Ossining, NY 10562 - (914) 762-7811 • Tarrytown (2): 75 N. Broadway, Tarrytown, NY 10591 - (914) 631-0344
• 131 Central Ave., Tarrytown, NY 10591 - (914) 524-7120 • White Plains: 270 Martine Ave., White Plains, NY 10601 - (914) 422-3060

NEW YORK CITY & FAIRFIELD COUNTY, CT

• Manhattan: 11 E. 22nd St., New York City, NY 10010 - (212) 614-0503 • Stamford: 999 Bedford St., Stamford, CT 06905 - (203) 348-1800



MEMBER FDIC

Irrevocable Letter of Credit No. 1946
Page 2

July 12, 2002

We hereby agree with your that drafts drawn under and in compliance with the terms and conditions of this credit shall be duly honored upon due presentation.

Very truly yours,



Greg B. Monteith
Vice President



Edward G. Horan
Senior Vice President

**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

11 Main Office
35 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@mhepc.com

Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 298-2765
e-mail: mhapa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

MEMORANDUM**(via fax)****2 July 2002****TO: PHIL CROTTY, ESQ., ATTORNEY FOR TOWN****FROM: MARK J. EDSALL, P.E., ENGINEER FOR TOWN****SUBJECT: BLOOMING GROVE OPERATING CO. MAJOR SUBDIVISION
(a/k/a TOLEMAN ESTATES SUBDIVISION) - BOND STATUS
N.W.P.B. FILE NO. 97-41**

Reference your memo dated 3 June 2002. Myra has assisted in a file review concerning status of bonds. Henry Kroll and I visited the subdivision site on 28 June 2002.

Please be advised that the bond amount of \$37,637.50 (for the bond that expired) was the amount established in April 1998 for remaining work for Phase III (only). Based on our joint review of the project this past Friday, it is our recommendation that the new bond amount be established as \$63,097.50 to reflect both the remaining work to be completed, as well as deteriorated and damaged work which must be repaired before final work can be performed and dedication can be considered. The amount is based on the previous bond amount, plus the following:

<u>Item</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
Add'l Curb replacement	1000 l.f.	\$ 19	\$ 19,000
Add'l Curtain Drains	300 l.f.	\$ 15	\$ 4,500
Tack Coat	4900 sy	\$0.40	\$ 1,960

Please note that the amount of curb replacement noted is an estimate, and the amount of curb replacement work, as well as other repair work required will be based on a subsequent detailed review of all public work in the Phase, with the final disposition at the discretion of the Highway Superintendent.

By separate memorandum, I will comment on the status of Phases 2, 4 and 5 of the major subdivision.

NW97-41-Crotty Memo 070202.doc
MJE:st

Collect Rec. fees + Approval fees on each phase
Mark to bill his fees at end - Check account each phase

Phase I 3 lots 12 bldg = Remainder Phase

11/12/97 Need officers of Dedication on Complete Road
Can Mark through all phases. (To be accepted as completed)
Plus easements

Phase II (Lot #35) No inspect fee due for
this Phase - No roadway in Phase II
Has O.C.H.D. Approval

Total Bond Est: 842,459.00

Phase III: (13) lots total (8/14/97)
Paid \$11,212.00 Insp. fee

Need breakdown of Cost Estimates for Phases inspect
fees.

Phase IV (10 lots total) (3-11 + 28) Paid insp. fee 11/12/97 7745.00

Phase V (lots 12-20) to be paid
14,741.36 = (4% of 368,534.00)

(Need separate files for each phase)

4% of 842,459.00 =
33,698.36



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

12 November 1997

MEMORANDUM FOR RECORD

SUBJECT: BLOOMING GROVE OPERATING MAJOR SUBDIVISION
STATUS MEETING - 11/12/97
NEW WINDSOR PLANNING BOARD NO. 91-22

Resultant from several questions concerning the ongoing construction, phasing and approval status of the subject subdivision, a meeting was scheduled for 12 November 1997 to review the overall project and its status. Present at this meeting were the following:

Vincent Biagini, Project Developer
Jerry Zimmerman, P.E., Developer's Engineer
Michael Babcock, Town Building Inspector
Mark J. Edsall, P.E., Planning Board Engineer
Myra Mason, Planning Board Secretary

We reviewed the status of each phase of the project and specifically verified the involved lots, inspection fees which have been paid, verified whether the subdivision was filed with the County, verified the status of OCDOH approval and Planning Board approval. A chart reflecting these individual items is attached hereto.

We also discussed the fact that the original project involved a very small Phase 1. Phase 2 involved the subdivision of the entire remaining portion of the project. Since that time, the Applicant has requested that the major subdivision be broken into four (4) phases. This has caused some confusion since the Town Board approved a Phase 2 Public Improvement Bond amount of \$842,459.00. Since that approval, the phasing concept has been endorsed by the Planning Board and the project broken into several phases. Phase 2 involves a single lot with frontage on Toleman Road and, therefore, does include any public improvements. Phases 3, 4 and 5 all include public improvements. Each of these has its own Public Improvement Bond amount, calculated by Jerry Zimmerman, with the total of these phases equalling the total amount previously approved by the Town Board. Jerry is sending the undersigned a copy of the

12 November 1997

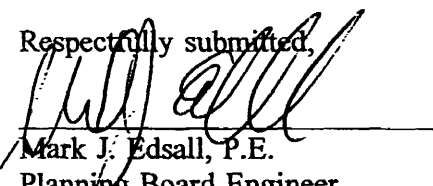
MEMORANDUM FOR RECORD
PAGE 2

breakdowns for Phases 3, 4 and 5, to verify these breakdowns. As well, since they are intending to proceed with the filing of Phases 2 and 3 and are requesting a Building Permit for the interior lot of Phase 1, he is to send me a request for decrease of the Bond amount for Phases 1 and 3, indicating the completed work. This will subsequently be forwarded to the Town Board for approval of the remaining work amount, following which Vince Biagini will be required to submit an actual Performance Guarantee (Bond or Letter of Credit, etc.).

We also discussed the fact that we had not received the formal Offers of Dedication for the project. Metes and bounds for the roadways were previously prepared, but the formal offer papers never submitted. They were requested to have these submitted to Town Attorney Phil Crotty as soon as possible and it is anticipated that he will forward copies of the descriptions to the undersigned for a coordinated review of this document.

A review was also made of the Planning Board action taken on 11 June 1997 at their regular meeting. At that meeting, the Planning Board reviewed the concept of project phasing and indicated their approval of this phasing. They did indicate that individual plans must be submitted for each phase for final approval of that phase. The minutes reflect a wording by the Planning Board granting conditional final approval to the overall subdivision, which I believe was intended to grant conditional final if the balance of the project was completed as a single phase. If the project is broken into multiple phases, the Planning Board anticipated new final plans for each phase. Inasmuch as all five phases will not be completed for final approval within the 360 days referenced in the State Law (180 + two 90 day extensions), Mr. Biagini does desire and does intend to return to the Planning Board for individual final approvals. It is his preference that the Board understand that the conditional final approval is not applicable since he is breaking the project into multiple phases (he does not want the 360 day time clock started on 6/11/97). This matter was clarified at the Planning Board meeting held on 12 November 1997, with concurrence of the Planning Board. I will send a letter to Mr. Biagini to confirm his understanding of this matter.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk

cc: Michael Babcock, Town Building Inspector
Richard D. McGoey, P.E., Town Engineer
Philip Crotty, Town Attorney
Myra Mason, Planning Board Secretary

A:11-12-E.mk

MEMO

TO: GEORGE J. MEYERS, SUPERVISOR

FROM: RICHARD MC GOEY, P.E., ENGINEER FOR THE TOWN

SUBJECT: BLOOMING GROVE OPERATING COMPANY - PHASE I & II
TOLEMAN ROAD SUBDIVISION PERFORMANCE BONDS

DATE: JUNE 2, 1997

Dear George:

Please find enclosed a letter dated 14 October 1996 from Zimmerman Engineering agreeing to the performance bond estimates as revised by our office for subject project. We have also enclosed for your use, our recommendation dated 9 October 1996 outlining the amount of the performance bonds recommended.

On the basis of the enclosed, we are requesting that the Town Board take action in regard to establishing performance bond amounts for Phase I at \$106,207.00 with an inspection fee of 4% of this amount at \$4,248.28 and Phase II at \$842,459.00 with an inspection fee of 4% of this amount at \$33,698.36.

After formal acceptance and establishment of the amount of the performance bonds, the applicant will post the inspection fees in order to perform the work to complete the improvements. At the time of final approval being granted by the Planning Board, any remaining improvements, as listed in the performance bond estimates, shall be bonded and the applicant will post the necessary performance bond amounts prior to the maps being stamped approved and signed for filing with the Orange County Clerk's Office.

If you should have any additional questions in this matter, please contact our office.

RDM:mlm ✓

cc: Town Board Members
James R. Petro, Jr. - P.B. Chairman
Michael Babcock, Building Inspector
Mark Edsall, P.E. - P.B. Engineer

ZIMMERMAN
ENGINEERING & SURVEYING, P.C.

Route 17M

Harriman, N.Y. 10926

(914) 782-7976

FAX: 782-3148

GERALD ZIMMERMAN P.E., L.S.

October 14, 1996

Mr. Richard McGoey, P. E.
Engineer for the Town of New Windsor
McGoey, Hauser & Edsall, P. C.
45 Quassaick Avenue
New Windsor, New York 12550

Re: Blooming Grove Operating Company - Phase I & II
Toleman Road - Town of New Windsor
Our Job No. 85256

Dear Mr. McGoey:

We are in receipt of your letter dated October 9, 1996 regarding the above referenced project. Blooming Grove Operating Company has agreed to the performance bond estimate and shall post the required engineering review fees upon acceptance by the Town Board.

Very truly yours,


Gerald Zimmerman, P.E., L.S.

GZ:aw

CC: Blooming Grove Operating Company



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

¹⁷⁶³
October 9, 1996

Zimmerman Engineering & Surveying, P. C.
Rt. 17 M
Harriman, NY 10926

ATTN: GERALD ZIMMERMAN, P.E.

**RE: BLOOMING GROVE OPERATING COMPANY - PHASE I AND II
TOLEMAN ROAD - TOWN OF NEW WINDSOR**

Dear Mr. Zimmerman:

We have reviewed your latest cost estimate for Phase I and Phase II for subject project, a copy of which has been enclosed. In line with our review, we have made several revisions to the cost of the drainage pipe reflecting the cost shown in your estimate back in September of 1995, which is more in line with the cost to pay prevailing wage, if necessary. On the basis of our review of your cost estimate, we offer the following recommendations:

As can be seen from the revised estimates enclosed for Phase I, we are recommending that a performance bond be established for Phase I in the amount of \$106,207.00 and for Phase II in the amount of \$842,459.00. Further, engineering review fees are calculated on the basis of 4% of the performance bond estimate and we are, therefore, requesting that the applicant post engineering review fees in the amount of \$4,248.28 for Phase I and \$33,698.36 for Phase II.

We will be formally recommending the above to the Town Board for their acceptance, however, if you should have any questions in the interim, please contact our office.

Sincerely yours,

Richard M. Goey, P.E.

RICHARD MC GOEY, P.E.,
ENGINEER FOR THE TOWN

RDM/mlm

cc: George J. Meyers, Supervisor
James R. Petro, Jr. - P.B. Chairman
Michael Babcock, Building Inspector
Mark Edsall, P.E. - P.B. Engineer

Zimmerman Engineering
 Bond Estimate for Blooming Grove Operating Company
 Job No. 85-258

May 10, 1996
 Revised June 21, 1996
 Revised August 13, 1996

Phase I

Description:	Estimated Quantity	Unit	Unit Price (\$)	Total (\$)
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Site Preparation:

Clearing	0.54	ac	5000.00	2,700.00
Grubbing	0.54	ac	500.00	270.00
Cut & Fill	2,719.00	cy	10.00	27,190.00
Erosion Control	1.00	lump sum	500.00	500.00

Drainage Improvements:

Catch Basins	6.00	each	1,000.00	6,000.00
Manholes	0.00	each	1,300.00	0.00

Corrugated Metal Pipe:

15"	40.00	feet	15.00 20.00	600.00	800.00
18"	335.00	feet	18.00 25.00	8,930.00	8,375.00
24"	0.00	feet	25.00 30.00	0.00	
36"	280.00	feet	45.00 50.00	12,600.00	14,000.00
48"	50.00	feet	50.00 60.00	2,500.00	3,000.00

Flared end section	2.00	each	250.00	500.00
Riprap channel	200.00	sf	5.00	1,000.00
Drainage channel	0.00	feet	4.00	0.00

Roads:

Subgrade	395.00	cy	20.00	7,900.00
Pavement	1,776.00	sy	12.50	22,200.00
Curb	940.00	feet	10.00	9,400.00
ROW Monuments	4.00	each	150.00	600.00
Seeding & Topsoil	836.00	sy	2.00	1,672.00
Street Name Signs	1.00	each	100.00	100.00

Total

101,762.00

106,207.00

Revised 3/00/96
 By RDMC

Zimmerman Engineering
 Bond Estimate for Blooming Grove Operating Company
 Job No. 85-256

May 10, 1996
 Revised June 21, 1996
 Revised August 13, 1996

Phase II

Description:	Estimated Quantity	Unit	Unit Price (\$)	Total (\$)
<u>Site Preparation:</u>				
Clearing	4.90	ac	5000.00	24,500.00
Grubbing	4.90	ac	500.00	2,450.00
Cut & Fill	27,741.00	cy	10.00	257,410.00
Erosion Control	1.00	lump sum	3,000.00	3,000.00
<u>Drainage Improvements:</u>				
Catch Basins	40.00	each	1,000.00	40,000.00
Manholes	3.00	each	1,300.00	3,900.00
<u>Corrugated Metal Pipe:</u>				
15"	482.00	feet	15.00 * 20	7,230.00 9640
18"	2,445.00	feet	16.00 * 25	44,910.00 61,125
24"	1,170.00	feet	25.00 * 30	29,250.00 35,100
36"	73.00	feet	45.00 * 50	3,285.00 3650
48"	0.00	feet	50.00 * 60	0.00
Flared end section	6.00	each	250.00	1,500.00
Flared channel	3,053.00	sf	5.00	15,265.00
Drainage channel	460.00	feet	4.00	1,840.00
<u>Roads:</u>				
Subgrade	4,756.50	cy	20.00	95,120.00
Pavement	5,287.00	sy	12.50	178,337.50
Curb	8,560.00	feet	10.00	85,600.00
PCV Monuments	22.00	each	150.00	4,200.00
Seeding & Topsoil	7,511.00	sy	2.00	19,022.00
Street Name Signs	2.00	each	100.00	200.00

Total

848,719.50

842,459.5

Revised 8-01-96
 By RANB

Collect Rec. fees + Approval fees on each phase
Mark to bill his fees at end - Check record each phase

Phase I 3 lots 2 bldg $\frac{1}{2}$ Remainder Price

11/12/97 Need offers of Dedication on Complete Road
Per Mark through all phases. (To be accepted as completed)
Plus easements

Phase II (Lot #35) No inspect fees due for
Revised this Phase - No roadway in Phase II
Has O.C.H.D. Approval

Total Bond Est: 842,459.00

Phase III: (Lots 21-27 + 29-34)
(13) lots total

8/14/97
Paid \$11,212.00 Insp. fee

Need breakdown of Cost Estimates for Phases inspect fees.

Phase IV ^{10 lots total} (3-11 + 28) Paid insp. fee 11/12/97 7745.00

Phase V ^{lots} (12-20) ^{to be paid}
14,741.36 = (4% of 368,534.00)

(Need separate files for each phase)

4% of 842,459.00 =
33,698.36

BLOOMING GROVE OPERATING SUBDIVISION (01-30)

Mr. Joe Foti appeared before the board for this proposal.

MR. PETRO: Why are you here?

MR. FOTI: Well, last time you saw this, I believe was in June of 2001 and since then, we have taken it to the health department and gotten health department approval on it and we're back tonight to seek final approval, if we can met all the conditions.

MR. PETRO: Bulk table has been corrected as well as driveway slopes have been addressed on the plans and we have no other outstanding issues. We have highway approval 5/22/02 and fire approval 4/6/01. Mark, do you have any anything else? Lead agency, SEQRA's been closed out, I'll take a motion for final approval.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Blooming Grove Operating Subdivision, resubdivision of lot number 3. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. LANDER: Do we have a copy of the department of health approval?

MS. MASON: Yes.

MR. LANDER: Then my vote is yes.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mhenry@mhepc.com

□ Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

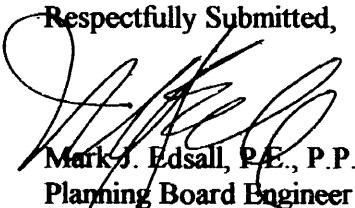
PROJECT NAME: HIGHLAND OPERATING LTD MINOR SUBDIVISION
(RESUBDIVISION LOT #3 – BLOOMING GROVE OPER.)
PROJECT LOCATION: MELISSA LANE & TOLEMAN RD.
SECTION 52 – BLOCK 4 – LOT 3
PROJECT NUMBER: 01-30
DATE: 22 MAY 2002
DESCRIPTION: THE APPLICATION PROPOSES THE RE-SUBDIVISION OF LOT NO.3 OF
THE FORMER BLOOMING GROVE OPERATING CO. MAJOR
SUBDIVISION. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 11
APRIL 2001, 9 MAY 2001 AND 13 JUNE 2001 PLANNING BOARD
MEETINGS.

1. This project received Preliminary Approval at the 13 June 2001 meeting. SEQRA has also been concluded. The applicant was directed to make the necessary DOH submittal for approval.

I am not aware of the status with DOH. The Board should clarify this status with the applicant's representative. If approved, a copy of the approval letter should be on file with the Town.

2. The bulk table has been corrected, per my previous request. As well, driveway slopes have been addressed on the plans. I am not aware of any other outstanding issues.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE:s
NW01-30-22May02.doc

AS OF: 06/03/2002

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 1- 30

FOR WORK DONE PRIOR TO: 06/03/2002

TASK-NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
1-30	172641	04/04/01	TIME	MJE	WS BG OP LOT 3	85.00	0.40	34.90			
1-30	172684	04/10/01	TIME	MJE	MC BG OP CO	85.00	0.50	42.50			
1-30	173565	05/08/01	TIME	MJE	MC BG OP SUB	85.00	0.60	51.00			
1-30	173566	05/08/01	TIME	MJE	MC BG OP L/A COORD	85.00	0.40	34.90			
								161.50			
1-30	174490	05/29/01			BILL 01-583					-161.50	
										-161.50	
1-30	176181	06/12/01	TIME	MJE	MC RVW W/PJH	85.00	0.30	25.50			
1-30	176182	06/12/01	TIME	MJE	MC RVW HIGHLAND QP	85.00	0.50	42.50			
								68.00			
1-30	178301	06/30/01			BILL 1-723 7/26/01					-68.00	
										68.00	
1-30	207032	05/22/02	TIME	MJE	MC BLOOMING GROVE	88.00	0.50	44.00			
1-30	207070	05/22/02	TIME	MJE	MM BG OP SUB FINAL APPL	88.00	0.10	8.80			
								282.30	0.00	-229.50	52.80
					TASK TOTAL			282.30	0.00	-229.50	52.80
					GRAND TOTAL			282.30	0.00	-229.50	52.80

Myra -
 Let me know if
 you need anything else
 on this app
 JH

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/10/2002

PAGE: 1


LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 1-30

NAME: BLOOMING GROVE OPERATING - LOT 3 RESUBDIVISION
APPLICANT: HIGHLAND OPERATING LTD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/05/2001	REC. CK. #12684	PAID		300.00	
04/11/2001	P.B. ATTY. FEE	CHG	35.00		
04/11/2001	P.B. MINUTES	CHG	27.00		
05/09/2001	P.B. ATTY FEE	CHG	35.00		
05/09/2001	P.B. MINUTES	CHG	36.00		
06/13/2001	P.B. ATTY. FEE	CHG	35.00		
06/13/2001	P.B. MINUTES	CHG	18.00		
05/22/2002	P.B. ATTY. FEE	CHG	35.00		
05/22/2002	P.B. MINUTES	CHG	4.50		
06/06/2002	P.B. ENGINEER FEE	CHG	282.30		
06/10/2002	REC. CK. #3276	PAID		207.80	
		TOTAL:	507.80	507.80	0.00

To Close out Escrow



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/10/2002

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
RECREATION

FOR PROJECT NUMBER: 1-30

NAME: BLOOMING GROVE OPERATING - LOT 3 RESUBDIVISION
APPLICANT: HIGHLAND OPERATING LTD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/06/2002	ONE LOT REC FEE	CHG	1500.00		
06/10/2002	REC. CK. #3275	PAID		1500.00	
		TOTAL:	1500.00	1500.00	0.00



Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#520-2002

06/10/2002

Highland Op. Ltd. *# P.O. 01-30 Approval Fee*

Received \$ 260.00 for Planning Board Fees on 06/10/2002. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

P.B.# 01-30

Check on Bond.

REGULAR ITEMS:

B.G. OPERATING SUBDIVISION (01-30)

Mr. Gerald Zimmerman, P.E. appeared before the Board for this proposal.

MR. PETRO: This is Highland Operating?

MR. ZIMMERMAN: Yes.

MR. PETRO: This application proposes the re-subdivision of Lot No. 3 of the former Blooming Grove Operating Company Major Subdivision. The plan was perviously reviewed at the 11 April 2001 and 9 May 2001 planing board meetings. Why don't you make your presentation and then we'll take it up with Mark.

MR. ZIMMERMAN: Last month the planning board conducted a public hearing for this two lot subdivision. The proposal, as I explained at that time, this is a lot that's within the Blooming Grove Operating Subdivision on Toleman Road consisting of 35 lots in total. This Lot No. 3 is approximately 5.7 acres in size, and the proposal is to subdivide that lot in half. Basically, each lot would have half the lot area, approximately 2 1/2 acres. So, that was the proposal that we had presented at the public hearing. The hearing was closed. And because we needed the 30 days to receive referrals from outside agencies, the board couldn't act on a preliminary approval at the last meeting, so we're here for a preliminary tonight.

MR. PETRO: The 30 days have elapsed, Mark?

MR. EDSALL: I believe so.

MR. PETRO: Have you heard back?

MR. EDSALL: We haven't heard any other boards interested in Lead Agency, have we, Myra?

MS. MASON: No.

MR. EDSALL: The 30 days have definitely elapsed.

MR. PETRO: We don't have anything here. I'll take a motion to assume Lead Agency.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second.

MR. PETRO: Motion had been made and seconded that the New Windsor planning board declare itself Lead Agency under SEQRA process for the Highland Operating Ltd. Subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO AYE
MR. KARNAVEZOS AYE
MR. PETRO AYE

MR. PETRO: Mark, what do you have on this? He's here for preliminary. I think this is the third time we've seen it.

MR. EDSALL: Yes. Actually, he's probably looking in addition for preliminary for you to consider SEQRA action. It is a minor subdivision. The only issues which potentially could be of interest would be the sanitary disposal systems and their relationship to the wetlands. They meet the spacing requirements and they are going to the Orange County Health Department. So, you could, in addition to the preliminary consider a neg. dec.

MR. PETRO: We had a public hearing on this last month?

MR. ZIMMERMAN: Last meeting, right. Last month I should say..

MR. ARGENIO: There was some input from the public relative to some runoff on the Toleman Road side of project; is that right?

MR. ZIMMERMAN: Yeah, there was an interested party who lived across from Toleman Road, across from the project, I should say. And, well, basically, we explained to, you know, they had an interest in where the subdivision was and what impacts it might have. And I think that in explaining how we're proposing the subdivision they seemed to be satisfied. But if you'd like, I can go through that again.

MR. ARGENIO: No. I was talking about the Henault lot on the south side. They had an issue with silt and sediment running into their property. Am I mistaken?

MR. ZIMMERMAN: Correct.

MR. ARGENIO: Has the silt fence been erected?

MR. ZIMMERMAN: We haven't done any work on the project at the present time. There isn't any construction taking place. There is no work being done on site at the present time.

MR. PETRO: I realize I was moving very slow, but now that I have my glasses we're going to move along quick. The applicant should ensure that driveway slope issues are resolved before you go to the Orange County Department of Health.

MR. ZIMMERMAN: I'm sorry?

MR. PETRO: The driveway slopes, I guess they're not correct, Mark?

MR. EDSALL: Well, we had raised the issue of making sure that the grading is resolved. And my only concern is if the grading has any affect on the sanitary systems locations, you get that resolved before you go to the health department. So as long as you coordinated that, there will be no problem when you come back.

MR. PETRO: We didn't declare a negative dec. last time because evidently we weren't Lead Agency because we had sent out the letters. Now that's all cleared up. We had the public hearing. I'll take a motion to declare a negative dec.

MR. ARGENIO: I make a motion we declare a negative. dec.

MR. KARNAVEZOS: Second.

MR. PETRO: Motion has been made and seconded that the New Windsor planning board declare a negative dec. under the SEQRA process for the Highland Operating Minor Subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: We have fire approval on 4/6/01 and highway approval on 4/10/01. Do any of the members have anything else to add to this? I'll entertain a motion for preliminary approval.

MR. KARNAVEZOS: I make that motion.

MR. ARGENIO: Second.

MR. PETRO: Motion has been made and seconded that the New Windsor planning board grant preliminary approval for the Highland Operating Minor Subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. ZIMMERMAN: Just so you know, between now and when we come back from the health department the issues relating to erosion control and everything like that will be incorporated into the plan.

MR. ARGENIO: Those people did show up that night. Just make sure some silt fence does go on the south side so Mike doesn't get a phone call from them. That's specifically why they showed up that evening.

RESULTS OF P.B. MEETING OF : June 13, 2001

P.D.#

NEGATIVE DEC:

M) 9 S) 4 VOTE: A 3 N 0

CARRIED: YES NO

CARRIED: YES NO

SCHEDULE P.H. Y__N__

RETURN TO WORK SHOP: YES___ NO___

DISCUSSION/APPROVAL CONDITIONS:

Preliminary approval \textcircled{K} \textcircled{S} A - 3 days Orays



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: HIGHLAND OPERATING LTD MINOR SUBDIVISION
(RESUBDIVISION LOT #3 – BLOOMING GROVE OPER.)

PROJECT LOCATION: MELISSA LANE & TOLEMAN RD.
SECTION 52 – BLOCK 4 – LOT 3

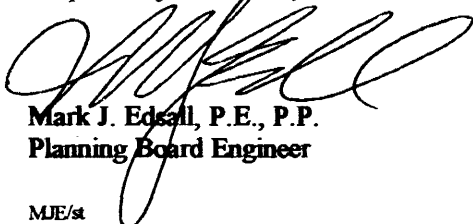
PROJECT NUMBER: 01-30

DATE: 13 JUNE 2001

DESCRIPTION: THE APPLICATION PROPOSES THE RE-SUBDIVISION OF LOT NO.3 OF THE
FORMER BLOOMING GROVE OPERATING CO. MAJOR SUBDIVISION. THE
PLAN WAS PREVIOUSLY REVIEWED AT THE 11 APRIL 2001 AND 9 MAY 2001
PLANNING BOARD MEETINGS.

1. This project is back before the Board for consideration for Preliminary Approval, such that a submittal can be made to the Orange County Department of Health. Also, a Lead Agency Coordination letter was issued for this project. The Board should be able to assume the position of Lead Agency under SEQRA.
2. As a reminder to the applicant, when they re-submit new plans, the "provided" values need some minor correction. Also, the metes and bounds depicted on the plans should match the dimensions on the bulk table, specifically the lot frontage.
3. The applicant should insure that the driveway slope issues are resolved before the design is submitted to the OCDOH.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW01-30-13Jun01.doc

PUBLIC HEARING:

BLOOMING GROVE OPERATING SUBDIVISION (01-30)

Mr. Gerald Zimmerman appeared before the board for this proposal.

MR. PETRO: This application proposes resubdivision of lot number 3 of the former Blooming Grove Operating Company major subdivision. The plan was previously reviewed at the 11 April, 2001 planning board meeting. This application is before the board for a public hearing tonight. We're going to review it first. Is there anybody here to talk about is this? We're going to review it as a board and I will open it up to the public. Okay.

MR. ZIMMERMAN: As was indicated, this is a resubdivision of a lot in the Blooming Grove Operating subdivision, it's lot number 3 in the subdivision, total lot area is 5.72 acres and the proposal is to subdivide that single lot into two lots, lot number 1 proposed to be approximately 2 1/2 acres and lot number 2 is 3 1/4 acres. The subdivision plan or proposed plan shows the location of the proposed house, well and septic system. But basically, that's it, proposing to cut the single lot into two lots and we have indicated on the plan the location of the proposed house, well and septic systems on each of the lots.

MR. PETRO: This project is located in the R-1 zoning district of the Town, which is a permitted use, bulk information on the plan appears correct. Any of the board members want to say anything now? Why don't we open it up to the public and get back to it. We have already reviewed it. At this time, this is a public hearing. On April 25, 2001, 12 addressed envelopes containing the attached notice went out for the public hearing. If someone is here and would like to speak on behalf of the application, please be recognized by the Chair, come forward, state your name and address.

MS. PAT HENAULT: My name is Pat Henault and we're abutting I think it's lot number 2. I have a question about the slope and the houses, it's quite a hill

May 9, 2001

4

that's there, what's going to prevent because most of the trees have been cut down, even though they said they weren't going to cut down the trees for the other phases, most of the trees are being cut down, so the runoff is coming to our yard, what's going to prevent this now.

MR. HENAULT: We've already had a pond that's almost filled in with all the mud runoff.

MR. PETRO: Show us on the map.

MR. ARGENIO: Which house is yours?

MR. PETRO: And the flow is all that way.

MR. HENAULT: There's a stream going through here and we're getting lot of mud runoff and I know you're going to plant grass and everything but right now, it's pretty much all dirt, it's been dirt for, you know, for at least half the year and we're just getting all this stuff, including food from the workers and everything, all the garbage is going into our property.

MR. PETRO: Your basic problem is construction aggravation?

MR. HENAULT: I'm concerned that is still going to be a problem.

MRS. HENAULT: We're the valley and that's way up on the hill and that's quite a steep hill.

MR. PETRO: Sounds like some silt fencing and some bales of hay and some garbage pails for the workers would take care of the lunch bags, those kinds of problems, there's nothing about the--

MR. HENAULT: Other than that, I'm worried about is it going to cause any undue flooding or excess flooding if it's all grassy slopes?

MR. PETRO: Does the water go that direction now?

MR. ZIMMERMAN: Yeah, naturally, the slope is going

towards the rear of the lot and basically towards the Henault's lot as well. However, there's an AT&T easement and this area behind here is actually a wetland and there's no disturbance being planned to be, to take place anywhere near that property, this is the wetland buffer and all of the construction will be up at the top of the slope.

MRS. HENAULT: But you're going to have to cut all the trees down to put the house in.

MR. HENAULT: It's wetlands because there's not good drainage.

MR. ZIMMERMAN: That's not the case. As I have indicated, there's a wetlands to the rear near the AT&T easement and that's the hundred foot buffer so no disturbance is going to take place from the buffer back towards this property and during the construction phase, there will be the appropriate erosion control and siltation fence that will be placed up in this area but as I have colored on the plan, that's the extent of the development that's to take place. This is where the property in question is, that property in question is, adjoins apparently the wetland that's down in this area.

MR. LANDER: Let me just ask you, Mr. Zimmerman, the trees are being, are trees being cut down at this time?

MR. ZIMMERMAN: As far as?

MR. LANDER: Do you know of any activity on the two lots?

MR. ZIMMERMAN: Well, it's one lot now and there has been some work being done in this area that's part of the actual construction taking place in the overall subdivision.

MR. PETRO: Why is there silt then going downstream now, shouldn't there be silt fencing and adequate protection at this time if there's other construction being done?

MR. ZIMMERMAN: I don't dispute what they're saying, maybe there is but as far as I know, there's no construction taking place on this property. Perhaps he should be, if that's the case, putting up hay bales or something like that.

MR. LANDER: Right, because if you have an application for this subdivision before us, there can't be anything done on this one lot while it's before us, so cutting the trees down or any other type of disturbance shouldn't be going on in this lot and if it is, then you'll have to take the appropriate steps to erosion control but the cutting the trees, I don't--

MR. ZIMMERMAN: Maybe you can explain what work is being done.

MR. BIAGINI: Vince Biagini. I already have one lot there already and we have been using that lot for extra dirt for the development right like up in front but as far as cutting trees down, what other trees we cut down was for one lot and that's it.

MR. PETRO: Basically, you can build a house there tomorrow, you have one approved lot, so you're just dividing that lot.

MR. BIAGINI: Because it's a large lot and taxes on a 6 acre lot it makes it harder to sell, that's why we're cutting it in half.

MR. LANDER: Plus also the steep slopes that are attributed with this lot that was represented to us at that first meeting that this was before us that it's a little too difficult at that time to subdivide this lot, now that more lots have been developed there, you came back and figured out how to do it.

MR. ZIMMERMAN: That's correct.

MR. LANDER: Or wanted to do it at this time, all right, so the slopes are still steep here, what kind of slopes are you going to have on the driveway?

MR. ZIMMERMAN: We're going to construct it so that the

driveway slopes won't exceed 10 to 12 or 10 to 12 percent.

MR. PETRO: We have highway approval on 4/10/2001 and municipal fire approval on 4/6/2001. Someone else like to speak on behalf of this applicant?

MRS. FRANCES CANNON (phonetic): I'm Frances Cannon from Toleman Road, we're right across from where I presume the houses are going to be and we too are, we're wondering about the flooding because we get more water now than what we used to, I'm not saying it's coming from there because we've had bad storms but we do get a lot more water than what we used to get.

MR. LANDER: Yo'ure across the street, would you like to come up and take a look at the map?

MRS. CANNON: Will they be right across the street from our place do you think?

MRS. CANNON: Will their driveways come out on Toleman?

MR. ZIMMERMAN: No, they're going come off the new road on the subdivision.

MRS. CANNON: All right.

MR. PETRO: Someone else like to speak? Entertain a motion to close the public hearing.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Blooming Grove Operating subdivision on Melissa Lane and at this time, I will reopen it to the board for further study. Anybody have anything else they want to say? Mark, what's your note number 2 here, OCDOH?

MR. EDSALL: Orange County Health Department reviewed the application as part of the major subdivision so

this would go back to them for a followup review.

MR. PETRO: Ron, you already talked about the slopes, the lead coordination letter went out, is it 30 days passed?

MR. EDSALL: No.

MR. PETRO: So we're not taking lead agency yet. You have a six acre lot here, correct?

MR. ZIMMERMAN: Yes, almost 5.8.

MR. PETRO: And you're making two lots out of it. What are you permitted by law, just out of curiosity, how many lots could be made there?

MR. BABCOCK: One acre zoning, Mr. Chairman.

MR. PETRO: And it's six acres.

MR. EDSALL: But based on the Town Law, you'd subtract out all the wetlands, so whatever wetlands are at the bottom would create net area, which is what you use for the one acre zoning.

MR. PETRO: We're not oversaturating this 6 acre parcel with two homes.

MR. EDSALL: Oh, no.

MR. LANDER: But the way it's laid out, you only have enough frontage for two lots anyway, as I read it.

MR. PETRO: Okay, I think it's as far as we have to go, we have the lead agency coordination letter out, we'll hear back, you have to go to the Orange County Department of Health and I would suggest to Mr. Biagini that he get some silt fencing and some hay bales up there before somebody else calls a different agency and goes out there and sees some silt going into the wrong spot, you can have your hands full. And no further cutting of trees or anything till we have approval.

MR. BIAGINI: Thank you.

MR. ZIMMERMAN: What we'd need to go to the health department is preliminary approval.

MR. PETRO: How do we do preliminary without lead agency? We can't do that. I don't have to be to be an attorney.

MR. EDSALL: Yeah, I think you need to have an answer back from the health department but I can't see once you get that why you couldn't take that action.

MR. LANDER: Well, that's what he's asking, he can't go to health department unless and until he gets preliminary.

MR. EDSALL: Correct but I don't know if you can give preliminary without lead agency.

MR. KRIEGER: I agree with you and with the Chairman, cart before the horse.

MR. PETRO: We're going to have to wait.

MR. ZIMMERMAN: So should we come back the next meeting?

MR. PETRO: Whenever the 30 days is up. When did the letter get sent?

MR. EDSALL: It was caught off the schedule just recently.

MR. PETRO: Check with Myra, see when the 30 days expires, if it's before the next meeting, you'll be put on. If not, it's going to have to be the first meeting in June. It's really out of our hands. I can't, how can we possibly give you preliminary if we're not the lead agency. You agree?

MR. ZIMMERMAN: Yes, I wondered maybe a letter from the planning board allowing us to go to the health department, the health department would entertain or allow that.

May 9, 2001

10

MR. PETRO: He can go, you know, this is only a formality, so it is a matter of getting him on his way.

MR. EDSALL: They are the only involved agencies so they'll be aware of it as part of the SEQRA referral so if the board has no objection, I will just advise them that we have no opposition to Gerry pursuing that approval while SEQRA is being resolved.

MR. PETRO: Any objection?

MR. ARGENIO: No.

MR. PETRO: So be it, Mark, get something from Mark.

MR. ZIMMERMAN: Thank you.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: HIGHLAND OPERATING LTD MINOR SUBDIVISION
(RESUBDIVISION LOT #3 – BLOOMING GROVE OPER.)

PROJECT LOCATION: MELISSA LANE & TOLEMAN RD.
SECTION 52 – BLOCK 4 – LOT 3

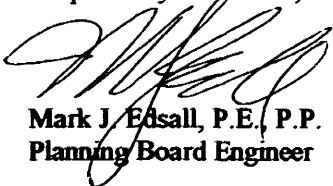
PROJECT NUMBER: 01-30

DATE: 9 MAY 2001

DESCRIPTION: THE APPLICATION PROPOSES THE RE-SUBDIVISION OF LOT NO.3 OF THE FORMER BLOOMING GROVE OPERATING CO. MAJOR SUBDIVISION. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 11 APRIL 2001 PLANNING BOARD MEETING. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING

1. The project is located in the R-1 Zoning District of the Town. The “required” bulk information on the plan appears correct for the zone and use. As noted in my previous comments, the “provided” values need some minor correction, although the lots appear to comply with the minimum requirements (I have no new plan for this application). Also, the metes and bounds depicted on the plans should match the dimensions on the bulk table, specifically the lot frontage.
2. As previously noted, this application will be referred to the OCDOH.
3. In my previous comments, I noted that slopes of the drives to the houses will be an issue. I requested that proposed grading be shown on the plan. A driveway profile should be depicted for each drive. The grading for the drives should not affect the SDSs. This must still be resolved.
4. A Lead Agency Coordination letter has been issued for this project and it is anticipated that the Planning Board will be Lead Agency under SEQRA.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW01-30-09May01.doc



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

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JAMES M. FARR, P.E. (NY & PA)

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e-mail: mhepa@ptd.net

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: HIGHLAND OPERATING LTD MINOR SUBDIVISION
(RESUBDIVISION LOT #3 – BLOOMING GROVE OPER.)

PROJECT LOCATION: MELISSA LANE & TOLEMAN RD.
SECTION 52 – BLOCK 4 – LOT 3

PROJECT NUMBER: 01-30

DATE: 11 APRIL 2001

DESCRIPTION: THE APPLICATION PROPOSES THE RE-SUBDIVISION OF LOT NO.3 OF
THE FORMER BLOOMING GROVE OPERATING CO. MAJOR
SUBDIVISION. THE PLAN IS BEING REVIEWED ON A CONCEPT BASIS
ONLY.

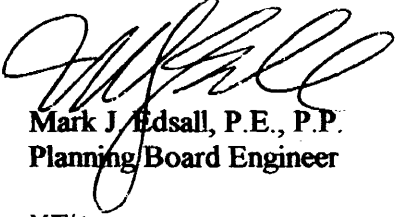
1. The project is located in the R-1 Zoning District of the Town. The “required” bulk information on the plan appears correct for the zone and use. The “provided” values need some minor correction, although the lots appear to comply with the minimum requirements.

The metes and bounds depicted on the plans should match the dimensions on the bulk table, specifically the lot frontage.

2. I have reviewed the plan and note the following comments:
 - a. The plans depict a sanitary disposal system location for each lot. Since this is part of a major subdivision previously reviewed by the OCDOH, I recommend that the applicant be advised that this application will be referred to that Department for review of this subdivision.
 - b. Slopes of the drives to the houses will be an issue. I requested that proposed grading be shown on the plan. A driveway profile should be depicted for each drive. The grading for the drives should not affect the SDSs.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.

5. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision (in form of lot line change), or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
6. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed appropriate by the Board.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW01-30-11Apr01.doc

REGULAR ITEMS:

BLOOMING GROVE OPERATING SUBDIVISION (01-30)

Mr. Gerald Zimmerman appeared before the board for this proposal.

MR. PETRO: Let the minutes show that Mr. Krieger's now with us. This application proposes resubdivision of lot number 3 of the former Blooming Grove Operating Company major subdivision. Plan is being reviewed on concept basis only. Bulk information on the plan appears correct, provided values need some minor corrections, this is represented by Mr. Zimmerman.

MR. ZIMMERMAN: As the board is aware, this subdivision, Blooming Grove Operating, received approval from the board in 1999 and subsequently, the map was filed. This lot number 3 which was part of that subdivision, it's 5.8 acres approximately in size, it was one of the lots in a 35 lot subdivision and the applicant would like, what the applicant would like to do is subdivide that parcel into two lots. It can be done, it can meet the zoning and bulk requirements and we have also worked out the spatial requirements for both the house, well, septic system and driveway so that it can fit properly on the, each of the two lots.

MR. LANDER: Let me ask a stupid question here, why is it being subdivided now, wasn't it subdivided back in '99?

MR. ZIMMERMAN: That's a good question.

MR. LANDER: Does the old map have any notes on it not to be further subdivided that lot or--

MR. ZIMMERMAN: No, there's no, well, no, obviously I did the plan and there were no restrictions regarding further subdivision, only that obviously we need to come back to the planning board. In rethinking back, you know, just that the, we worked it out in such a way that quite honestly--

MR. LANDER: You found out a better way.

MR. ZIMMERMAN: Actually, the applicant brought it up and asked for me to look at it and see in fact I think if it could be resubdivided and we spent some time with it and, you know, it appears that we can.

MR. PETRO: This is off a major subdivision?

MR. ZIMMERMAN: Yes.

MR. PETRO: So there's no time limit as far as the State's concerned?

MR. EDSALL: It's within the three year period, so it will have to go back to the health department, but they have that ability to make an application.

MR. LANDER: I was just curious, 5.8 acres and there was no magic with 36 lots at that time, right?

MR. ZIMMERMAN: No, the lot, you know, I believe we can get--

MR. LANDER: I see that contours are pretty close down by where the house is.

MR. ZIMMERMAN: We're going to have to do some grading, possibly some retaining walls for the driveways, had to do a little creative thinking in terms of getting wells and septic, but it does, it can, we believe it can be done.

MR. PETRO: A motion for lead agency.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency under the SEQRA process for the Blooming Grove Operating subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Mark, do you have any outstanding comments here? I mean, I know there's some notes, housekeeping notes.

MR. EDSALL: Yeah, it's very minor, they do need to make a trip to the health department, basically, the rest of the comments are procedural things you need to make some decisions on.

MR. PETRO: Do we need to hear back from the health department?

MR. EDSALL: Well, you can go ahead and deal with SEQRA now, I see no reason why you couldn't consider the need for a public hearing now.

MR. PETRO: Gentlemen, public hearing, any comments?

MR. LANDER: Gerry, you don't have one of the old plans, do you, or no, from '99?

MR. ZIMMERMAN: I have the sheet that this lot is on from the previous one, I don't have the whole set. There's a wetland and there's a buffer so we have to stay above that.

MR. PETRO: Motion to waive the public hearing.

MR. KARNAVEZOS: I'll make that motion.

MR. LANDER: How many lots in this subdivision are built out of 35, would you say half?

MR. ZIMMERMAN: I think more than half.

MR. BABCOCK: In that area.

MR. LANDER: All the roads are in, all the drainage is in, I'm just thinking who's going to be up in, this--

MR. EDSALL: Yes.

MR. LANDER: --this is lot 3, so whether or not it's a minor subdivision or not.

MR. PETRO: Withdraw your motion?

MR. KARNAVEZOS: I'll withdraw.

MR. PETRO: Then we'll have more discussion on it then.

MR. LANDER: I know it's only subdividing this one lot, but I think the people that are already there might want to know what's going on or maybe not. Normally, we don't get a lot of activity at a public hearing, that's for sure, even a million dollar project, so this is a 2 lot subdivision, it's not a big deal.

MR. ARGENIO: Is the house to the north, the model?

MR. BABCOCK: Yes.

MR. ARGENIO: It's sold?

MR. ZIMMERMAN: Not on this lot.

MR. BABCOCK: No, the lot where the house, says existing house, that's the original model and I think it still is.

MR. ZIMMERMAN: I think he sold that.

MR. PETRO: Looks like you and Jerry want to have a public hearing, Tom, and you don't?

MR. ARGENIO: If I remember correctly, this is all at the bottom of the hill, I think everything kind of drains down to that area.

MR. PETRO: How many lots are in this subdivision?

MR. ZIMMERMAN: There's 35 in total.

MR. PETRO: Now there's going to be 36?

MR. ZIMMERMAN: Yes.

MR. ARGENIO: I think if I owned one of the houses to the north or southeast, I think I'd want to know, I'd like to at least have the opportunity to comment.

MR. PETRO: We can't do anything until we hear from the health department, sounds like they want to do that. I'm on the fence.

MR. ZIMMERMAN: Well, I was going to say before we go to the health department, we'll need preliminary approval, so whether you grant it now or you have a hearing, one way or the other, we've got to get preliminary so--

MR. PETRO: Well, we can't do preliminary if we're going to have a public hearing.

MR. BABCOCK: Do public hearing first, if you're going to have one.

MR. PETRO: So we're going to hold you up. Motion to have the public hearing.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board have a public hearing for the Blooming Grove Operating subdivision on Melissa Lane. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: You can schedule that with Myra, we can't do the SEQRA until after the public hearing, we can't

April 11, 1961

8

do preliminary until after any comments about the actual layout or site plan itself, I don't think so, so I think we're all set and we'll schedule a public hearing, have it and get your preliminary done.

MR. ZIMMERMAN: Okay, thank you.

RESULTS OF P.B. MEETING OF: May 9, 2001

PROJECT: B.6. Operating Sub P.B.# 01-30

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__

M)__ S)__ VOTE: A__ N__

2. TAKE LEAD AGENCY: Y__ N__

CARRIED: YES__ NO__

M)__ S)__ VOTE: A__ N__

CARRIED: YES__ NO__

Close

WAVE PUBLIC HEARING: M) A S) B VOTE: A 5 N 0 Closed WAIVED: Y ✓ N__

SCHEDULE P.H. Y__ N__

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ APPROVED: _____

M)__ S)__ VOTE: A__ N__ APPROVED CONDITIONALLY: _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<u>Wait 30 days or till an answer from O.C.H.</u>
<u>Mark to write letter to go to Health Dept</u>



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

7 May 2001

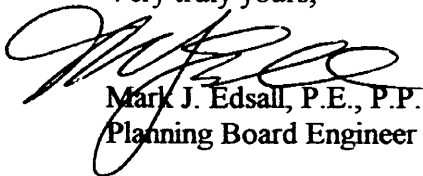
**SUBJECT: HIGHLAND OPERATING LTD MINOR SUBDIVISION
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
(NWPB REF. NO. 01-30)**

To all Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an application for Minor Subdivision approval of the Highland Operating Ltd. Subdivision project, located on Melissa Lane and Toleman Road within the Town. The project involves, in general, the resubdivision of Lot #3 of the former Blooming Grove Operating Subdivision into two (2) single-family residential lots. The need for approval from the Orange County Department is anticipated. It is the opinion of the Town of New Windsor Planning Board that the action is an Unlisted Action under SEQRA. This letter is written as a request for Lead Agency Coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA review process, sent to the Planning Board at the above address, attention of Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved agency desire the Lead Agency position; it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a written response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position. Thank you for your attention to this matter. Should you have any questions regarding this notice, please feel free to contact the undersigned at the above number or (845) 562-8640.

Very truly yours,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

Orange County Department of Health
George J. Meyers, Town of New Windsor Supervisor (w/o encl)
Town of New Windsor Town Clerk (w/o encl)
Myra Mason, Planning Board Secretary
Planning Board Attorney (w/o encl)
Applicant (w/o encl)



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

April 17, 2001

Highland Operating LTD
P.O. Box 479
Washingtonville, NY 10992

Re: 52-4-3

Dear Madam/ Sirs,

According to our records, the attached list of property owners are abutting to the above referenced properties.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/bw

CC: Myra Mason, PB

52-4-1
Roman & Geraldine Kopczuk
352 Toleman Road
Washingtonville, NY 10992 ✓

James R. Petro, Chairman
Planning Board ✓
555 Union Ave
New Windsor, NY 12553

52-1-2
Marc & Susan Leviton ✓
80 Schwartz Lane
Rock Tavern, NY 12575

Mark J. Edsall, P.E. ✓
McGoey and Hauser
Consulting Engineers, P.C.
45 Quassaick Ave
New Windsor, NY 12553

52-1-4
Antonio Bienes & Pamela Carter ✓
32 Schwartz Lane
Rock Tavern, NY 12575

52-4-7
William & Karen Rave ✓
1711 Little Britain Road
Rock Tavern, NY 12575

52-1-28
Peter & Frances Kania ✓
329 Toleman Road
Washingtonville, NY 10992

52-4-30.1
Paul & Patricia Henault ✓
314 Toleman Road
Washingtonville, NY 10992

52-1-49
Daniel & Carol Miller ✓
315 Toleman Road
Washingtonville, NY 10992

George J. Meyers, Supervisor ✓
Town of New Windsor
555 Union Ave
New Windsor, NY 12553

Debbie Green, Town Clerk ✓
Town of New Windsor
555 Union Ave
New Windsor, NY 12553

✓
Andrew Krieger, ESQ
219 Quassaick Ave
New Windsor, NY 12553

12

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the
TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a
PUBLIC HEARING AT Town Hall, 555 Union Avenue, New Windsor, New York

on Wednesday, May 9, 2001 at 7:30 P.M. on the approval of the
date

proposed ☐ SITE PLAN / ☒ SUBDIVISION / ☐ SPECIAL PERMIT approval

for Lot No. 3 Phase IV&V - BloomingGrove Operating Co. located at _____
name of project

Town of New Windsor Tax Map # S. 52. B. 4. Lot 3
Address of project section, block, lot

Map of the project is on file and may be inspected at the PLANNING BOARD
OFFICE, Town Hall, 555 Union Avenue, New Windsor, NY prior to Public
Hearing.

4/23/01
Date

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr., Chairman

4/17/01
m

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

REQUEST FOR NOTIFICATION LIST

DATE: 4-12-01



1763
NAME: Highland Operating LTD TELE: () 782-7976
ADDRESS: P.O. Box 479 Notify: Zimmerman Engineering
Washingtonville, NY 10992

TAX MAP NUMBER: SEC. 52, BLOCK 4, LOT 3
SEC. _____, BLOCK _____, LOT _____
SEC. _____, BLOCK _____, LOT _____

PUBLIC HEARING DATE (IF KNOWN): _____

THIS PUBLIC HEARING IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD:

SITE PLAN & SUBDIVISIONS:

(LIST WILL CONSIST OF ABUTTING
PROPERTY OWNERS AND ACROSS ANY STREET)

☒
YES

~~SPECIAL PERMIT ONLY:~~

~~(LIST WILL CONSIST OF ALL PROPERTY
OWNERS WITHIN 500 FEET)~~

~~YES~~

~~AGRICULTURAL DISTRICT:~~

~~(LIST WILL CONSIST OF ALL PROPERTY OWNERS
WITHIN THE AG DIST. WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT)~~

~~YES~~

NEW WINDSOR ZONING BOARD:

~~(LIST WILL CONSIST OF ALL PROPERTY
OWNERS WITHIN 500 FEET)~~

~~YES~~

AMOUNT OF DEPOSIT \$ _____ TOTAL CHARGE \$ _____

RESULTS OF P.B. MEETING OF : April 11, 2001

PROJECT: B. G. Operating Sub.

P.B.# 01-30

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER. ~~Y~~ N

2. TAKE LEAD AGENCY: Y ☒ N ☐

M)___ S)___ VOTE: A___ N___

CARRIED: YES NO

M) WS) A VOTE: A 4 N 0

CARRIED: YES ☐ NO ☒

Have

Have
~~WAIVE~~ PUBLIC HEARING: M) ~~A~~ S) A VOTE: A 4 N 0 WAIVED: Y N ✓

SCHEDULE P.H. Y ☒ N ☐

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A: M) S) VOTE: A N

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED: _____

MO S VOTE: A N APPROVED CONDITIONALLY:

NEED NEW PLANS: Y N

DISCUSSION/APPROVAL CONDITIONS:

Must go to O.C. Health Dept. for approval

P.B. # 01.30
Application fee

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#305-2001

04/06/2001

Homes, Fairview

Received \$ 50.00 for Planning Board Fees, on 04/06/2001. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/05/2001

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 1-30

NAME: BLOOMING GROVE OPERATING - LOT 3 RESUBDIVISION
APPLICANT: HIGHLAND OPERATING LTD

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/05/2001	REC. CK. #12684	PAID		300.00	
			-----	-----	-----
		TOTAL:	0.00	300.00	-300.00





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

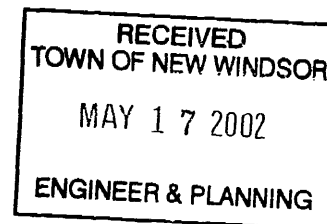
RECEIVED

MAY 20 2002

PROJECT REVIEW SHEET

N.W. HIGHWAY DEPT.

TO: ☐ FIRE INSPECTOR, ☐ WATER DEPT.,
☐ SEWER DEPT., ☒ HIGHWAY DEPT.



P.B. FILE # **01-30** DATE RECEIVED: _____

PLEASE RETURN COMPLETED FORM TO MYRA BY: 5/20/02

THE MAPS AND/OR PLANS FOR:

B.G. Operating
Applicant or Project Name

SITE PLAN ☐, SUBDIVISION ☒, LOT LINE CHANGE ☐, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: _____

☐ DISAPPROVED:

Notes: _____

Signature: _____

Reviewed by: _____

Date: 5/20/02



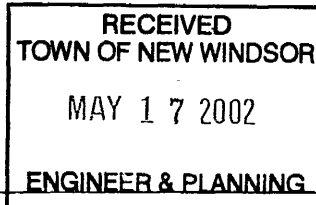
Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: ☐ FIRE INSPECTOR, ☐ WATER DEPT.,
☒ SEWER DEPT., ☐ HIGHWAY DEPT.



P.B. FILE # **01-30** DATE RECEIVED:

PLEASE RETURN COMPLETED FORM TO MYRA BY: 5/20/02

THE MAPS AND/OR PLANS FOR:

B.G. Operating

Applicant or Project Name

SITE PLAN ☐, SUBDIVISION ☒, LOT LINE CHANGE ☐, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: _____

☐ DISAPPROVED:

Notes: _____

Signature: _____

Reviewed by: _____

Date 5/28/02

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

SUBJECT: B.G. Operating

DATE: May 22, 2002

Planning Board Reference Number: PB-01-42

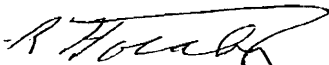
Dated: 05-17-2002

Fire Prevention Reference Number: FPS-02-033

A review of the above referenced subject subdivision plan was conducted on 22 May 2002.

This subdivision plan is acceptable.

Plans Dated: 05-17-2002 Revision 3



**Richard R. Hotaling
Asst. Fire Inspector**

RRH/dh



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: ☒ FIRE INSPECTOR, ☐ WATER DEPT.,
☐ SEWER DEPT., ☐ HIGHWAY DEPT.

RECEIVED
TOWN OF NEW WINDSOR
MAY 17 2002
ENGINEER & PLANNING

P.B. FILE # **01-30** DATE RECEIVED: _____

PLEASE RETURN COMPLETED FORM TO MYRA BY: 5/20/02

THE MAPS AND/OR PLANS FOR:

B.G. Operating
Applicant or Project Name

SITE PLAN ☐, SUBDIVISION ☒, LOT LINE CHANGE ☐, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: _____

☐ DISAPPROVED:

Notes: _____

Signature: R. P. [Signature] 5/20/02
Reviewed by: _____ Date

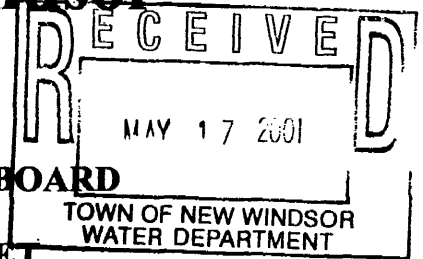


Town of New Windsor

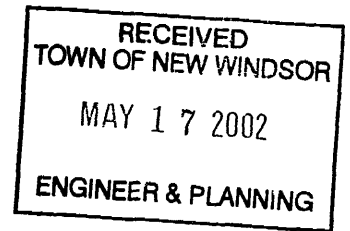
555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET



TO: ☐ FIRE INSPECTOR, ☒ WATER DEPT.,
☐ SEWER DEPT., ☐ HIGHWAY DEPT.



P.B. FILE # **01-30** DATE RECEIVED:

PLEASE RETURN COMPLETED FORM TO MYRA BY: 5/20/02

THE MAPS AND/OR PLANS FOR:

B.G. Operating
Applicant or Project Name

SITE PLAN ☐, SUBDIVISION ☒, LOT LINE CHANGE ☐, SPECIAL PERMIT ☐

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ APPROVED:

Notes: There is no town water in this area.

☐ DISAPPROVED:

Notes:

Signature: Stan D... Reviewed by: 5-17-02 Date



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

☐ Main Office
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@att.net

☐ Regional Office
507 Broad Street
Milford, Pennsylvania 18337
(570) 298-2765
e-mail: mhpa@ptd.net

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF: NEW WINDSOR P/B APP. NO.: 01 - 30

WORK SESSION DATE: 15 MAY 2002 PROJECT: NEW OLD ☒

REAPPEARANCE AT W/S REQUESTED: No RESUB. REQ'D: Yes

PROJECT NAME: B.G. Operating Sub- Re-subdivision of Lot #3

REPRESENTATIVES PRESENT: Vince Biagini Jerry Zimmerman

MUNICIPAL REPS PRESENT:

BLDG INSP.	<input checked="" type="checkbox"/>	FIRE INSP.	_____
ENGINEER	<u>EAD</u>	PLANNER	_____
P/B CHMN	_____	OTHER	_____

ITEMS DISCUSSED:

Correct dimensions on plan

Ready for Next Agenda
if plans are in.

STND CHECKLIST:

DRAINAGE _____

DUMPSTER _____

SCREENING _____

LIGHTING _____

(Streetlights)

LANDSCAPING _____

BLACKTOP _____

ROADWAYS _____

TPB

ORANGE COUNTY DEPARTMENT OF HEALTH
Division of Environmental Health

CERTIFICATE OF APPROVAL OF REALTY SUBDIVISION PLANS

TO: Highland Operating Ltd.
POB 479
Washingtonville, NY 10992

The Orange County Department of Health certifies that a realty subdivision map entitled Resubdivision Lot #3, Phase IV and V, Blooming Grove Operating Co., dated March 13, 2001, latest revision April 17, 2002, located in the Town of New Windsor showing plans for providing satisfactory and adequate water supply and sewage facilities for said subdivision have been filed with and approved by the Department on this date pursuant to Article II of the Public Health Law.

The following information was furnished in the application for approval of plans:

Total area: 5.72 acres Number of lots: 2

Water supply: Private

Sewage disposal: Private

The owner intends to build on all lots.

Approval of the proposed water supply and sewage facilities is granted subject to the following conditions:

1. **THAT** the proposed facilities are installed in conformity with said plans.
2. **THAT** no lot or remaining lands shall be subdivided without plans for such resubdivision being filed with and approved by the Orange County Department of Health.
3. **THAT** the purchaser of a lot sold without water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and shall be notified of the necessity of installing such facilities in accordance with the approved plans.
4. **THAT** the purchaser of a lot sold with water supply and/or sewage disposal facilities installed thereon will be furnished with a reproduction of the approved plans and an accurate as-built plan depicting all installed sanitary facilities.

5. **THAT** the sanitary facilities on these lots shall be inspected for compliance with the approved plans at the time of construction by a licensed professional engineer and written certification to that effect shall be submitted to this Department and the local Building Code Enforcement Officer prior to occupancy.
6. **THAT** individual wells and sewage treatment systems shall no longer be constructed or used for household domestic purposes when public facilities become available. Connection to the public sewerage system is required within one year of the system becoming available.
7. **THAT** plan approval is limited to 5 years. Time extensions for plan approval may be granted by the Orange County Department of Health based upon development facts and the realty subdivision regulations in effect at that time. A new plan submission may be required to obtain a time extension.
8. **THAT** the approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the date of plan approval.

May 2, 2002

Date



, P.E.

M.J. Schleifer, P.E.

Assistant Commissioner

subapproval



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **01-30**

DATE PLAN RECEIVED: _____

RECEIVED

APR 06 2001

N.W. HIGHWAY DEPT.

RECEIVED

APR - 5 2001

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

_____ has been

reviewed by me and is approved ☒ _____

disapproved ☐ _____

If disapproved, please list reason _____

Harry Hull 4/12/01
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: April 6, 2001

SUBJECT: Blooming Grove Operating Co.

Planning Board Reference Number: PB-01-30

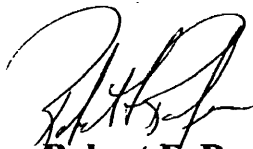
Dated: 5 April 2001

Fire Prevention Reference Number: FPS-01-018

A review of the above referenced subdivision plan was conducted on 6 April 2001.

This subdivision plan is acceptable.

Plans Dated: 13 March 2001

A handwritten signature in black ink, appearing to read 'R. F. Rodgers', is written over the printed name.

Robert F. Rodgers



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

☐ Main Office
45 Quassaick Ave. (Route 12)
New Windsor, New York 12553
(914) 562-8640
☐ Branch Office
507 Broad Street
Milford, Pennsylvania 18334
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B **01-30**
WORK SESSION DATE: 4 April 01
REAPPEARANCE AT W/S REQUESTED: No APPLICANT RESUB. REQUIRED: Full App
PROJECT NAME: B.G. Op Co.
PROJECT STATUS: NEW X OLD _____
REPRESENTATIVE PRESENT: Vina B/Gerry Z.
MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 67.70
- B.G. Op. Lot #3
 - grading to drive
 - ~~DOT - in review in house~~ Filed 9-14-99
 - add Frontage 70/Height 35/L.A 1200/Partly 10
 - increase lot 1 Frontage

next avail agenda after
aff.

CLOSING STATUS

Set for agenda
possible agenda item
Discussion item for agenda
ZBA referral on agenda

pbwsform 10MJE98



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision ☐ Lot Line Change ☐ Site Plan ☐ Special Permit ☐

Tax Map Designation: Sec. 52 Block 4 Lot 3

1. Name of Project Re-Subdivision - Lot No. 3 - Phase IV - Blooming Grove Operating Co.

2. Owner of Record Highland Operating LTD Phone 496-0451

Address: PO Box 479, Washingtonville, NY 10992
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Same as Owner Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Zimmerman Engineering & Surveying Phone 782-7976

Address: 148 Route 17M, Harriman, NY 10926
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney _____ Phone _____

Address _____
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Gerald Zimmerman 782-7976
(Name) (Phone)

7. Project Location:

On the Westerly side of Melissa Lane 600± feet
(Direction) (Street) (No.)
East of Toleman Road
(Direction) (Street)

8. Project Data: Acreage 5.72 Zone R-1 School Dist. _____

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APR - 5 2001

01-30

9. Is this property within Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No X

***This information can be verified in the Assessor's Office.**

***If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.) The project is a 2-lot subdivision of 5.72 ac. of land into 2 lots.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no X

12. Has a Special Permit previously been granted for this property? yes _____ no X

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

5th DAY OF April 19 2001

Vincent Deagen

APPLICANT'S SIGNATURE

Jennifer Mead
NOTARY PUBLIC
JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified in Orange County
Commission Expires 10/30/2002

Please Print Applicant's Name as Signed

TOWN USE ONLY: RECEIVED

APR - 5 2001
DATE APPLICATION RECEIVED

01-30

APPLICATION NUMBER

PROJECT I.D. NUMBER

617.21

SEQR

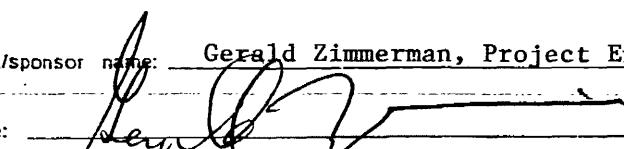
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Highland Operating, LTD	2. PROJECT NAME Re-Subd. Lot No. 3 Phase IV, Blooming Grove Operating LTD
3. PROJECT LOCATION: Municipality Town of New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc.. or provide map) Westerly side of Melissa Lane - approximately 600' from its intersection with Toleman Road.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: This project is the re-subdivision of Lot No. 3 on F.M. No. 210-99 into 2 lots. Lot No. 1 being 2.45+/- ac. and lot No. 2 being 3.27 +/- ac. Both lots to be served by individual wells and septic systems.	
7. AMOUNT OF LAND AFFECTED: Initially 5.72 acres Ultimately 5.72 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: This project proposes to build single family houses similar to the existing houses in the subdivision.	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals Orange County Health Department/Realty Subdivision	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: Gerald Zimmerman, Project Engineer	Date: 3/27/01
Signature: 	

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APR - 5 2001

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

01-30

DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☐ No

WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

☐ Yes ☐ No

COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?

☐ Yes ☐ No

IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☐ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

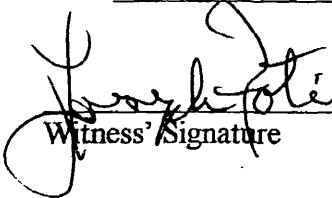
for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

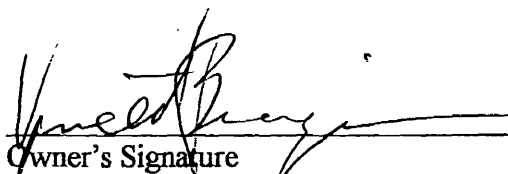
Highland Operating LTD, deposes and says that he resides
(OWNER)
at PO Box 479, Washingtonville, NY 10992 in the County of Orange
(OWNER'S ADDRESS)
and State of New York and that he is the owner of property tax map
(Sec. Block Lot)
designation number (Sec. 52 Block 4 Lot 3) which is the premises described in
the foregoing application and that he authorizes:

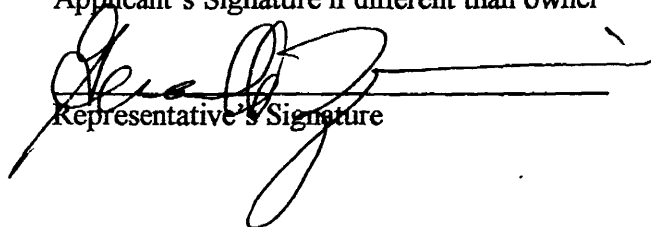
(Applicant Name & Address, if different from owner)
Zimmerman Engineering RD 11 M Hairman
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 4-4-01


Witness' Signature


Owner's Signature

(Applicant's Signature if different than owner)

Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**


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APR - 5 2001

01-30

**TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. X Name and address of Applicant.
- * 2. N/A Name and address of Owner.
3. X Subdivision name and location
4. X **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**

SAMPLE: 
5. X Tax Map Data (Section, Block & Lot).
6. X Location Map at a scale of 1" = 2,000 ft.
7. X Zoning table showing what is required in the particular zone and what applicant is proposing.
8. X Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9. X Date of plat preparation and/or date of any plat revisions.
10. X Scale the plat is drawn to and North arrow.
11. X Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12. X Surveyor's certificate.
13. X Surveyor's seal and signature.
14. X Name of adjoining owners.
15. X Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- * 16. X Flood land boundaries.
17. X A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
18. X Final metes and bounds.

19. _____ Name _____ width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20. X Include existing or proposed easements.
21. X Right-of-way widths.
22. X Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. X Lot area (in square feet for each lot less than 2 acres).
24. X Number the lots including residual lot.
25. X Show any existing waterways.
- *26. N/A A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
27. N/A Applicable note pertaining to owners review and concurrence with plat together with owners signature.
28. _____ Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. X Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30. X Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31. X Provide A septic system design notes as required by the Town of New Windsor.
32. X Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33. X Indicate percentage and direction of grade.
34. _____ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35. _____ Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. N/A Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
37. N/A A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

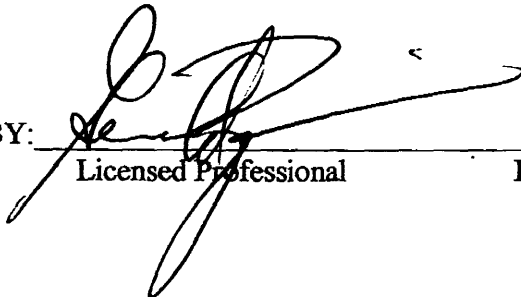
"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY:  4/4/01
Licensed Professional Date